IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | F. Devon Taylor et al. | Examiner: Michael Cuff |
| Serial No.: | 09/390,954 | Group Art Unit: 3627 |
| Filed: | September 7, 1999 | Docket: 1565.028US1 |
| Title: | COMMUNICATION INTERFACE FOR PROVIDING ACCOUNTING SUPPORT FOR PRINT SERVICES | |

## REPLY BRIEF UNDER 37 C.F.R. § 41.41

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## APPELLANT'S REPLY BRIEF

This Reply Brief is filed in response to the Examiner's Answer (hereinafter, the "Answer"), mailed September 26, 2007, and supplements the Appeal Brief filed by the Appellant on March 19, 2007 and the Response to Notice of Non-Compliant Appeal Brief filed by the Appellant on June 7, 2007. Please charge any required additional fees or credit overpayments to Deposit Account 19-0743.

## Argument

The Appellant has reviewed the Answer, and believes the statements in the Appeal Brief remain accurate and compelling.

Firstly, Appellant respectfully submits that fundamentally the Examiner's argument defies common sense. Namely, Appellant does not believe that anyone of ordinary skill in the art would view the Bennett reference as being a client-server architecture that operates over a network. Bennett is simply a stand alone printer station that is devoid of any usage of the terms "network," "client," and "server" at all. Appellant respectfully asserts that one cannot look at the individual trees and miss the forest completely. The Bennett approach and Appellant approach are completely different from one another: one uses a stand alone integrated printer station device and the other is a distributed client-server approach utilizing multiple devices over a network. Bennett itself did not view its stand alone printer station as being network enabled or client-server based.

The Examiner has attempted to individually argue that multiple processors in a same device can be viewed as a client-server architecture and the communication via a bus is a

network. Appellant believes that this actually defies common sense and is in appropriate.

The Board is invited to review various references for a definition of network and client-server architectures and come to its own conclusion on this. However, Appellant believes that if the interpretation offered by the Examiner was uniformly applied then a vast majority of issued patents would be invalidated where those patents rely on client-server architectures and network implementations.

In fact, even the figures and descriptions of Bennett describe the usages of multiple processors as being a single integrated device for a printer station. For example, see FIG. 1, FIG. 6, column 5 lines 41-52, *etc.* The Examiner's argument would open Pandora's box with respect to the networking arts because it relies on the premise that every machine is a network and a client-server architecture. This is simply not how those of ordinary skill in the art interpret these terms and phrases; regardless of how logical the Examiner appears to make his argument in support of this notion.

Appellant does also not believe that "separate and apart" language is confusing or odd. Appellant notes that the language would be unnecessary if the Examiner would simply recognize that which is readily accepted as common sense in the industry and that being client-server architectures. The "separate and apart" language was only used to force the Examiner to recognize that a distributed client-server architecture with multiple machines over a network was being implemented and such an arrangement is completely devoid of any teaching or suggestion in the Bennett reference. The Examiner has also contorted this phrase to suggest wired boards in the integrated device meet this limitation.

Appellant asserts that the primary issue of disagreement between the Examiner and the Appellant appears to hinge on how broadly can the Examiner interpret client-server architectures and is a single integrated machine sufficient and within the bounds of common sense when viewed from the perspective of one or ordinary skill in the art. Appellant respectfully asserts that the attempted interpretation over steps the bounds of common sense and is inappropriate and could have potentially catastrophic consequences on a plethora of issued patents that rely on client-server architecture implementations. Accordingly, Appellant respectfully requests that the Examiner be enjoined from such an overly broad and non commonsensical interpretation and that the claims of record be allowed.
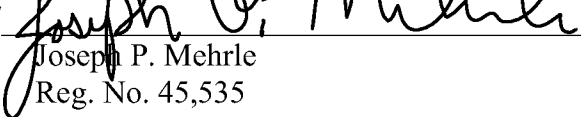
## *Conclusion*

The Appellant submits that all of the claims are in condition for allowance and notification to that effect is earnestly requested.  The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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